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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,857	04/26/2001	J. J. Garcia-Luna-Aceves	.5543P005	1350

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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/844,857	Applicant(s) GARCIA-LUNA-ACEVES ET AL.	
	Examiner Mohammad A Siddiqi	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 2, 8 and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14 are presented for examination. claims 2, 8, and 10 have been cancelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims , 3-7, 9, and 11-14 rejected under 35 U.S.C. 103(a) as being unpatentable over by McCanne et al. (6,415,323) (hereinafter McCanne) in view of by McCanne et al. (6,611,872) (hereinafter McCanne-2).
4. As per claims 1, 7, and 9, McCanne discloses receiving a request for an information object (col 14, lines 61-67) at an address identified by a uniform resource locator (URL) (fig 4, col 8, lines 40-55, col 9, lines 14-46, col 15, lines 59-60); and

mapping the URL (col 15, lines 29-31) to a broadcast channel (fig 8, col 19, line 67) for the information object (fig 4, col 8, lines 40-55, col 9, lines 14-60, col 14, lines 61-67); and

using the unicast address (SN1, receive the information over unicast col 19, lines 65-67) as an anycast address (thus far has relied on anycast address, col 20 lines 5-12).

McCanne does not specifically disclose corresponding unicast address.

However, McCanne-2 discloses corresponding unicast address (col 25, lines 51-54, col 29, lines 50-67, col 30, lines 1-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine McCanne with McCanne-2 because it would provide automatic discovery of computers, devices, and services on IP networks.

5. As per claims 3 and 12, McCanne discloses wherein the request is received at an information object repository selected without regard as to whether the information object is actually stored at the information object repository (database, probe and loading characteristics, col 19, lines 35-38).

6. As per claim 4, McCanne discloses further comprising instructing the selected information object repository to obtain a copy of the information object (probe and loading characteristics, col 19, lines 35-38).

7. As per claims 5 and 13, McCanne discloses wherein the information object repository is selected according to specified performance metrics (Quality of service and load balancing, col 17, lines 48-67).

8. As per claims 6 and 14, McCanne discloses wherein the performance metrics comprise one or more of: average delay from the selected information object repository to a source of the request, average processing delay at the selected information object repository, reliability of a path from the selected information object repository, available bandwidth in said path, and loads on the selected information object repository (Quality of service and load balancing, col 17, lines 48-67).

9. As per claim 11, McCanne discloses further comprising an information object repository coupled to respond to the request for the information object (probe and loading characteristics, col 19, lines 35-38).

Response to Arguments

10. Applicant's arguments filed 11/04/2004 have been fully considered but they are not persuasive, therefor, the rejection to claims 1-14 is maintained.

11. In response to applicant's argument " neither McCanne nor McCanne2 teaches..", examiner respectfully disagrees. McCanne discloses using the unicast address (SN1, receive the information over unicast col 19, lines 65-67) as an anycast address (thus far has relied on anycast address, col 20 lines 5-12).

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee

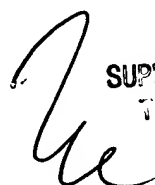
pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS


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